

1 William L. Choquette  
ABA No. 7410066  
2 Choquette & Farleigh, LLC  
629 L Street, Suite 101  
3 Anchorage, Alaska 99501  
Telephone: (907) 274-4626  
4 Telefax: (907) 274-9819

5 Attorneys for Defendant Caroline Prosser

6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ALASKA

8 ALLSTATE INSURANCE COMPANY, )

9 Plaintiff, )

10 vs. )

11 CAROLINE PROSSER, )

12 Defendant. )

) Case No. A05-060 CI (CV)

13 MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES

14 COMES NOW the defendant, Caroline Prosser, by and through her attorneys, Choquette  
15 & Farleigh, LLC, and, pursuant to Fed. R. Civ. P. 56, moves this Court for an order of summary  
16 judgment as follows: (1) that Prosser is entitled to punitive damages as a matter of law because  
17 of the undisputed acts and conduct of her abductors; (2) that the UM coverage in the underlying  
18 policy does apply to those punitive damages, at least to the extent they arising from the jump or  
19 from the acts or conduct of Prosser's abductors which caused or contributed to Prosser's decision  
20 to jump; (3) that Prosser's claim for both compensatory and punitive damages arising from the  
21 jump necessarily includes damages arising from those acts or conduct of Prosser's abductors which  
22 led or contributed to Prosser's decision to jump.

23 This Motion is supported by the Memorandum of even date herewith. This Motion is  
24 brought on the basis that there is no genuine issue of material fact and defendant is entitled to  
25 judgment as a matter of law.

1 DATED at Anchorage, Alaska, January 25, 2007.

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3 CHOQUETTE & FARLEIGH, LLC  
4 Attorneys for Defendant Caroline Prosser

5 By \s\ William L. Choquette  
6 William L. Choquette  
7 ABA No. 7410066  
8 Choquette & Farleigh, LLC  
9 629 L Street, Suite 101  
Anchorage, Alaska 99501  
Telephone: (907) 274-4626  
Telefax: (907) 274-9819

10 This is to certify that a copy of the foregoing  
11 document was electronically served on  
12 January 25, 2007 on Barry J. Kell.

13 \s\ William L. Choquette  
14 William L. Choquette  
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